

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 19-51017

LICK INDUSTRIES, LLC,

Chapter 11

Debtor.

Judge Thomas J. Tucker

**ORDER REQUIRING THE DEBTOR TO AMEND DISCLOSURE STATEMENT**

On February 12, 2020, the Debtor filed a plan and disclosure statement, in a document entitled “Debtor’s Second Amended Combined Plan and Disclosure Statement” (Docket # 69, the “Plan”). The Court cannot yet grant preliminary approval of the disclosure statement contained within this document. The Court notes the following problems, which the Debtor must correct.

First, “Effective Date” is a defined term. The Debtor must therefore capitalize this term everywhere that it is used in the Plan, including, for example, in paragraph C(I)(A)(1) of the Plan on page 5.

Second, the Debtor does not describe the treatment of Group II Priority Claims. The Debtor must do this on page 5 of the Plan.

Third, the claims of the creditors in Class 1, Class 2, Class 3, and Class 4 are all secured by real property located at 637 S. Connecticut Ave., Royal Oak MI 48067 (the “Property”). The Debtor states that the Class 3 claim of the Oakland County Treasurer for property taxes has priority over all other claims secured by the Property. The Debtor must state the priority of each of the other creditors whose claims are secured by the Property.

Fourth, the Debtor must renumber the classes listed on page 8 of the Plan, so that the

class of “General Unsecured Creditors” is Class 6, and the class of “Equity Security Holders” is Class 7.

Fifth, in the description of the treatment of the class of General Unsecured Creditors (which now will be Class 6) on page 8 of the Plan, the Debtor must include a statement that this class also will receive distributions from the Debtor’s contributions of its projected disposable income, as described in paragraph D.3 of the plan on page 13.

Sixth, the Debtor must correct the typographical error on page 12 of the Plan by changing “judgment” to “judgment.”

Seventh, the Debtor states in paragraph IV.A of the Disclosure Statement on page 22 that the Liquidation Analysis is attached as Exhibit A, but it is not attached. The Debtor must attach the Liquidation Analysis and label it Exhibit A.

Accordingly,

IT IS ORDERED that no later than **February 18, 2020**, the Debtor must file an amended combined plan and disclosure statement that is consistent with this Order.

IT IS FURTHER ORDERED that no later than **February 18, 2020**, the Debtor also must file a redlined version of the amended combined plan and disclosure statement, showing the changes the Debtor has made to the “Debtor’s Second Amended Combined Plan and Disclosure Statement” filed February 12, 2020.

**Signed on February 13, 2020**



/s/ **Thomas J. Tucker**

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**Thomas J. Tucker**  
**United States Bankruptcy Judge**